

IN THE CLAIMS:

Please amend the claims as follows:

Claim 1 – 12 (Canceled).

13. (Previously presented) The device according to claim 18, including said adjustment lever arranged on the side of said basket support plate.

14. (Previously presented) The device according to claim 18, including said basket support plate provided at its ends with guide elements which at least partially enclose said vertical basket struts of said dishware basket.

Claims 15-17. (Canceled).

18. (Currently amended) A device for adjusting the height position of a dishware basket of a dishwashing machine having a rinsing container and a dishware basket having side walls formed from vertically extending basket struts and at least one pair of horizontally extending struts at a vertical spacing from one another, the dishware basket of the dishwashing machine being extendable from, and retractable into, the rinsing container of the dishwashing machine, the device for adjusting the height position of a dishware basket of a dishwashing machine comprising:

a basket support plate adapted to be mounted on a side wall of the dishware basket, said basket support plate including rollers mounted thereto and having a recess;

an adjustment lever pivotaly mounted to said basket support plate such that a handle part of the adjustment lever may be pivoted toward and away from

~~said basket support plate for adjustably mounting said basket support plate on said dishware basket at selectable different heights, said adjustment lever including a handle end located in said recess formed in said basket support plate;~~

~~means for movably mounting said adjustment lever to said basket support plate for movement of said adjustment lever relative to said basket support plate in a first direction from said basket support plate toward the interior of the dishware basket and in a direction opposite to said first direction;~~

~~a catch hook arranged on a said handle end of said adjustment lever and located in said recess of said basket support plate so as to be oriented to the dishware basket interior when said basket support plate is mounted on a side wall of the dishware basket; and~~

~~means for biasing said adjustment lever to move in said opposite direction from the interior of the dishware basket toward said basket support plate, said biasing means normally maintaining said handle end of said adjustment lever in a non-actuated disposition in which said catch hook extends into the path of movement of the dishwasher basket such that, when the dishware basket is moved from a lower height position into an upper height position, said catch hook on said handle end of said adjustment lever automatically engages one of the horizontally extending basket struts of the dishwasher basket as the dishware basket completes its movement from the lower height position into the upper height position and actuation movement of said handle end of said adjustment lever in said first direction from said basket support plate toward the interior of the dishware basket against the bias of said biasing means effects disengagement of a guide element of said basket support plate from the dishware basket, whereupon the dishware basket is free to move automatically under the action of gravity from the upper height position into the lower height position.~~

19. (Previously presented) The device for adjusting the height position of a dishware basket of a dishwashing machine according to claim 18, wherein said biasing means includes a spring coupled to said adjustment lever, said spring biasing said adjustment lever to swivel back in said opposite direction after said handle part of said adjustment lever is actuated in said first direction.

20 – 21. Canceled)

22. (Currently amended) The device for adjusting the height position of a dishware basket of a dishwashing machine according to claim 18, wherein said ~~means for movably mounting said~~ adjustment lever is pivotally mounted to said basket support plate ~~includes means for swivel mounting said adjustment lever~~ near an upper edge of said basket support plate in said recess.

23. (New) A dishware basket height adjuster for a dishwasher, comprising:
a support plate including a recess;
a roller mounted on the support plate
an adjustment lever with a catch hook at a distal end and a handle part at a proximal end, the adjustment lever is pivotally mounted to the support plate between the distal end and the proximal end.